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October 28, 2019

Hon. Martin Glenn
United States Bankruptcy Court
One Bowling Green
New York, New York 10004

**Re: Joe's Place of the Bronx, NY, Inc.
Chapter 11 Case No. 17-11542**

Amended Status Report and Proposed Order

Dear Judge Glenn:

I have emailed Your Honor's Chambers the attached order requesting that the Court conditionally approve the Debtor's Disclosure Statement and set deadlines for a hearing on final approval of the Disclosure Statement and confirmation of the Plan of Reorganization. The Plan and Disclosure Statement were filed on August 21st and were circulated among counsel to the Debtor's Landlord, counsel to the New York State Department of Taxation and Finance ("NYSDTF"), and the U.S. Trustee. No one else has participated in any of the hearings or status conferences before the Court. NYSDTF is the Debtor's largest creditor and has agreed to the terms of the Plan so long as (1) plan payments are mailed to its counsel and (2) default language is added to the Plan. I have made those changes to the Plan and will file the amended plan once I obtain the Debtor's signature on this second amended plan. The second amended plan with not contain any substantive changes to the first amended plan that was filed on August 21st.

I obtained the U.S. Trustee's express consent to the conditional approval of the Disclosure Statement. I have obtained comments from NYSDTF and have incorporated all of its counsel's requests for amendments to the Plan. The comments did not affect any of the material terms of the Plan. I have not received any specific comments from the Landlord but Landlord's counsel has consented to the Debtor's request to combine final approval of the Plan and Disclosure Statement.

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I believe that the only substantive outstanding issue is the Landlord has not provided the Debtor with a final amount for the amount of additional rent it seeks and for the terms of repayment of the additional rent. The last request sent to the Debtor was for \$37,000. The Plan is worded in a manner that allows for an agreement between the Debtor and the Landlord to satisfy this amount. I believe that the Debtor and the Landlord will reach an agreement for payment of this amount and do not believe this issue should prevent the Debtor from proceeding with its request for a combined hearing on approval of the Disclosure Statement and Plan. I have not received any request from Landlord's counsel that the Debtor cease prosecuting its Plan.

Should the Court grant the Debtor's request and enter the proposed order, the Debtor requests that notice of the hearing be no less than 31 days after service order to ensure that creditors receive the notice required by Bankr. Rule 2002.

Thank you for your time and consideration.

Very truly yours,

/s/Norma E. Ortiz

Norma E. Ortiz

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

Chapter 11

JOE'S PLACE OF THE BRONX, NY, INC.,

Case No. 17-11542-mg

Debtor.

-----X

**EX PARTE ORDER CONDITIONALLY APPROVING DISCLOSURE STATEMENT,
FIXING TIME FOR FILING ACCEPTANCES OR REJECTIONS OF THE PLAN,
FIXING THE TIME FOR FILING OBJECTIONS TO THE DISCLOSURE
STATEMENT AND TO THE CONFIRMATION OF THE PLAN, AND SETTING A
HEARING ON FINAL APPROVAL OF THE DISCLOSURE STATEMENT AND
HEARING ON CONFIRMATION OF THE PLAN**

This matter having been brought before the Court by Joe's Place of the Bronx, Inc. (the "Debtor"), through counsel, Ortiz & Ortiz, L.L.P., and upon the filing of the Debtor's Amended Plan of Reorganization dated August 21, 2019 (the "Plan") and the Amended Disclosure Statement dated August 21, 2019 (the "Disclosure Statement"); and it appearing that the Office of the U.S. Trustee having reviewed the Disclosure Statement and having no opposition to its conditional approval; and the Plan and Disclosure Statement having been provided to the Debtor's Landlord, the Estate of Harry Katz (the "Landlord") and the New York State Department of Taxation and Finance ("NYSDTF"); and the Landlord and NYSDT having no opposition to the Debtor seeking a combined hearing on approval of the Disclosure Statement and confirmation of the Plan; and the Court having found that relief sought herein is warranted under the circumstances of this case;

IT IS HEREBY ORDERED THAT:

1. The Amended Disclosure Statement dated August 21 2019, and filed by the Debtor is conditionally approved;
2. Within five (5) days after the entry of this Order, the Debtor's Plan and

Disclosure Statement and the annexed Notice of Deadlines and Hearing on Final Approval of Disclosure Statement substantially confirming to the Notice annexed as Exhibit A, and a ballot substantially conforming to Official Bankruptcy Form 314 shall be mailed to creditors, equity security holders, and other parties in interest, and shall be transmitted to the United States Trustee;

3. _____, 2019, is fixed as the last day for filing and serving written objections to the Disclosure Statement and confirmation of the Plan;

4. _____, 2019, is fixed as the last day for filing written acceptances or rejections of the Plan;

5. A hearing shall be held on _____, 2019 at ____m. for final approval of the Disclosure Statement and for confirmation of the Plan before the Honorable Martin Glenn, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004.

6. The Combined Hearing may be adjourned from time to time, if necessary; notice of such adjourned date(s) shall be available on the electronic case filing docket.

New York, New York
_____, 2019

Martin Glenn
U.S. Bankruptcy Judge

EXHIBIT A

ORTIZ & ORTIZ, L.L.P.
32-72 Steinway Street
Astoria, New York 11103
Norma E. Ortiz
Maria Perez-Brown
Tel. (718) 522-1117
Fax (718) 596-1302
email@ortizandortiz.com
Attorneys for the Debtor

Hearing Date and Time:
_____, 2019 at _____

Deadline to:

1. Object to the Disclosure Statement
And Confirmation of the Plan:
_____, **2019**

2. Deliver Completed Ballots:
_____, 2019

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

Chapter 11

JOE'S PLACE OF THE BRONX, NY, INC.,

Case No. 17-11542-mg

Debtor.

-----X

**NOTICE OF DEADLINES AND HEARING ON FINAL APPROVAL OF DISCLOSURE
STATEMENT AND CONFIRMATION OF THE DEBTOR'S
PLAN OF REORGANIZATION**

PLEASE TAKE NOTICE, that on _____, 2019, the Court entered the enclosed
Order Conditionally Approving the Debtor's Disclosure Statement, Fixing Time for Filing
Acceptances or Rejections of the Plan, and Fixing the Time for Filing Objections to the
Disclosure Statement and to the Confirmation of the Plan, and Setting a Hearing on Final
Approval of the Disclosure Statement and Hearing on Confirmation of the Plan (hereinafter, the
"Order"); and

PLEASE TAKE FURTHER NOTICE THAT, as set forth in the Order, the last day for
filing and serving written objections to the Disclosure Statement and confirmation of the Plan is
_____, **2019**. Any such objection must be made in writing and shall state with
particularity the grounds therefor, and shall be filed with the Clerk of the Bankruptcy Court by

electronic means (with a copy to Chambers), and served upon and received by, Norma E. Ortiz, Esq., Ortiz & Ortiz, L.L.P., 32-72 Steinway Street, Ste. 402, Astoria, New York 11103, and the United States Trustee's Office, 201 Varick Street, Suite 1006, New York, New York 10014, so as to be actually received no later than the date set forth herein; and

PLEASE TAKE FURTHER NOTICE THAT, as set forth in the Order, the last day for delivering written acceptances or rejections of the Plan is _____, **2019**. Any such written acceptances or rejections must be delivered so as to be received by Norma E. Ortiz, Esq., Ortiz & Ortiz, L.L.P., 32-72 Steinway Street, Ste. 402, Astoria, New York 11103, no later than 5:00 p.m. on _____, **2019**, and also must conform to the ballot enclosed; and

PLEASE TAKE FURTHER NOTICE THAT, as set forth in the Order, on _____, **2019**, at _____ .m., or as soon thereafter as counsel may be heard, a hearing will be held to consider final approval of the Disclosure Statement (if a written objection has been timely filed) and for confirmation of the Plan before the Martin Glenn, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 11201.

Dated: _____, 2019
Astoria, New York

/s/Norma E. Ortiz
Norma E. Ortiz
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